

REMARKS

By this Amendment, claims 9 and 21 are canceled without prejudice or disclaimer and their respective subject matter is incorporated into their respective base claims 1 and 13.

Claims 1-8, 10-20 and 22-24 are pending.

Claims 1-9, 12-21 and 24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Leitch et al. (U.S. 6,163,698; hereafter “Leitch”), Ostrup et al. (U.S. 6,205,336; hereafter “Ostrup”) and Haartseen (U.S. 6,251,643) and claims 10-11 and 22-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Leitch/Ostrup and Plaschke et al. (U.S. 6,022,622). Cancellation of claims 9 and 21 renders their rejection moot. Applicant traverses the rejections of the remaining claims because the cited prior art references fail to disclose, teach or suggest all the features recited in the rejected claims. For example, the cited prior art fail to teach or suggest the claimed method comprising “maintaining a data network connection between the terminals and the terminal controllers, wherein the terminal controller of the micro or pico cell network, controlling the operation of the terminals, is controlled through a data network connected to the micro or pico cell network,” as recited in independent claim 1 and its dependent claims.

Similarly, the cited prior art fails to teach or suggest the claimed cellular radio network including a controller comprising “means for maintaining a data network connection between the terminals and the terminal controllers, wherein the cellular radio network comprises a data network for transmitting information in the cellular radio network and a terminal controller for controlling the terminals, and the controller is arranged to control the terminal controller through the data network,” as recited in independent claim 13 and its dependent claims.

The previously issued Advisory Action (dated October 22, 2004) recognized that the subject matter of claims 3, 9 or 12 include potentially patentable subject matter if incorporated into independent claim 1 (as amended by the After Final Amendment). Accordingly, Applicant has cancelled claim 9 and incorporated its subject matter into independent claim 1; similarly, claim 21 has been cancelled and incorporated into independent claim 13. Applicant submits that these claim amendments place the application in condition for allowance because the subject matter now recited in claims 1 and 13 is not disclosed, taught or suggested.

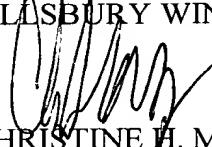
Further, Applicant submits that the cited prior art, analyzed individually or in combination, fails to disclose, teach or suggest the claimed subject matter of independent claims 1 and 13 because those claims have been amended to recite that there is a data network connection between the terminals and the terminal controllers as supported by Applicant's specification at page 10, lines 7-8 disclosing that there may be a serial cable for connecting the terminal and the terminal controller. No such connection is disclosed in the cited prior art and, as a result, the cited prior art would suffer from an accompanying problem that interfering radio signaling is created when making the measurements/channel configuration of the pico/micro cell network without such a connection.

Accordingly, Applicant submits that claims 1-8, 10-20 and 22-24 are allowable. All objections and rejections having been addressed, Applicant requests issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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